



City of Waukesha

City Hall,
201 Delafield Street
Waukesha, WI 53188

Meeting Minutes - Final

City Council

Tuesday, August 2, 2022

6:30 PM

Council Chambers, City Hall

1. Roll Call

Present: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

2. Announcement of Closed Session pursuant to Wis. Stats. 19.85(1)(e) to go into closed session to discuss collecting bargaining with employee unions

3. Pledge of Allegiance

4. Public Comment

No one present for Public Comment.

5. Approval of Minutes

A. [ID#22-4615](#) Minutes from July 19, 2022

Attachments: [ccmn220719 draft.pdf](#)

A motion was made by Ald. Johnson, seconded by Ald. E. Payne, to approve Minutes from July 19, 2022. The motion carried by the following vote:

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

Consent Agenda

The Consent Agenda passed unanimously with no items removed.

1. Other Boards and Commissions

A. [ID#22-4471](#) Review and Act on Resolution Supporting the Wisconsin Department of Transportation Request to Transfer Federal Congestion Mitigation and Air Quality (CMAQ) Funds from the Federal Highway Administration to the Federal Transit Administration on behalf of the City of Waukesha

Attachments: [CMAQ Fund Transfer](#)
[resolution-transit- 2022 CMAQ Transfer](#)

Resolution #2022-22

- B. [ID#22-4472](#) Review and Act on Proposed Bus Stop Changes

Attachments: [Changes to Bus Stops](#)

- C. [ID#22-4585](#) Review and act on (recommendation to Common Council) proposed underground electric distribution easement at Glacier Cone Park (Madison & S. Comanche).

Attachments: [Underground Electric Distribution Easement at Glacier Cone Park 2022](#)

- D. [ID#22-4517](#) Review and act on (recommendation to Common Council) proposed Recreation Services contract with In The Park, LLC (kayak/biking classes).

Attachments: [Council Cover Sheet - Recreation Service Contract Fall 2022](#)
[In the Park LLC Contract](#)

- E. [ID#22-4518](#) Review and act on (recommendation to Common Council) proposed Recreation Services contract with Perilla Kitchen, LLC (cooking classes).

Attachments: [Council Cover Sheet - Recreation Service Contract Fall 2022](#)
[Parilla Kitchen Contract](#)

- F. [ID#22-4520](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Great Lakes Dryhooch Inc. to sell non-competing food/beverage items at 2022 Oktoberfest community event.

Attachments: [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Dryhooch Agreement](#)

- G. [ID#22-4521](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Mama Ducky's Desserts to sell non-competing food/beverage items at 2022 Oktoberfest community event.

Attachments: [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Mama Ducky's Desserts Agreement](#)

- H. [ID#22-4522](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Public Safety Cadets Post 178 to sell promotional items such as t-shirts, koozies, pins at 2022 Oktoberfest community event.

Attachments: [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Public Safety Cadets Post 178 Agreement](#)

- I. [ID#22-4523](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Waukesha Lions Club to sell non-competing food/beverage items at 2022 Oktoberfest community event.
- Attachments:** [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Waukesha Lions Club Agreement](#)
- J. [ID#22-4524](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Waukesha Citizens Police Academy Association, Inc. to sell non-competing food/beverage items at 2022 Oktoberfest community event.
- Attachments:** [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Waukesha Citizens Police Academy Association Agreement](#)
- K. [ID#22-4525](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Ray Stelzer, d.b.a. Kleines Bayern Gourmet Roasted Nuts to sell non-competing food/beverage items at 2022 Oktoberfest community event.
- Attachments:** [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Kleines Bayern Agreement](#)
- L. [ID#22-4526](#) Review and act on (recommendation to Common Council) proposed vendor agreement with Waukesha Sunrise Rotary Club Charitable Fund, Inc. to sell non-competing food/beverage items at 2022 Oktoberfest community event.
- Attachments:** [Council Cover Sheet Oktoberfest Agreement 2022](#)
[2022 Oktoberfest Sunrise Rotary Agreement](#)

2. Plan Commission

- A. [PC22-0268](#) Extraterritorial Certified Survey Maps – Poplar Creek Town Center – Bluemound Road/Barker Road – Proposed series of three CSMs over 20.91 acres of land at the northeast corner of Bluemound Road and Barker Road. CSM 1 is for three lots and one outlot on 20.91 acres. CSM 2 is a four lot redivision of Lot 1 of the previous CSM, and CSM 3 is a 2 outlot redivision of Outlot 1 on the first CSM.

Attachments: [Poplar Creek, Extra-territorial CSM- Cover Letter](#)
[Application for Development Review](#)
[Certified Survey Map Checklist](#)
[Copy of Check for CSM Extra-Ter. Jurisdiction Review](#)
[Cover Letter to D. Koehler \(6-24-22\)](#)
[PC-02R3-CSM 1](#)
[PC-02R3-CSM 2](#)
[PC-02R3-CSM 3](#)
[Poplar Creek CSM- Project Reviews](#)
[Poplar Creek Grading Plan CJE1350-02R20](#)

- B. [PC22-0276](#) Certified Survey Map – Paramount Dr. Parking Lot, Wilde Autos Inc. – Proposed one lot CSM on approximately 2.9919 acres of land used by Wilde Autos Inc. for employee parking and vehicle storage.

Attachments: [Cover Sheet - CSM, Wilde Auto overflow lot on Paramount Dr](#)
[Project Reviews - Paramont CSM](#)
[S8072 CSM SHEET 1-4](#)
[Tax Key Info](#)

3. Standing Committees

A. Finance Committee - Ald. Pieper

- A. [ID#22-4547](#) Review and act on a request to accept the MOU for the Byrne Grant in the amount of \$10,005, with \$4,502.50 to be provided to Waukesha County as agreed to in a signed Memo of Understanding

Sponsors: Police Department

Attachments: [Cover Sheet - Byrne Grant](#)
[Notice to Finance Committee](#)
[Byrne Grant Program Narrative](#)
[2022 Byrne Grant MOU signed](#)

B. Building & Grounds Committee - Ald. E. Payne

C. Ordinance & License Committee - Ald. Johnson

D. Human Resources - Ald. Rodriguez

- A. [ID#22-4531](#) Review and approve timeline for City Administrator's performance evaluation.

Attachments: [ID#22-4531 City Administrator Performance Evaluation Timeline](#)
[Coversheet](#)

E. Board of Public Works - Alex Damien

- A. [ID#22-4478](#) Review and act on Contract Change Order No. 1 with State Contractors Inc. for the 2021 Concrete Sidewalk Replacement City-Wide project.
- Sponsors:** Public Works
- Attachments:** [22-4478_BPW_Agenda_Cvr-CCO1-State_Contractors-2021_Concrete_Sidewalk_Replacement](#)
[22-4478_CCO1_State_Contractors--2021_Concrete_Sidewalk](#)
- B. [ID#22-4479](#) Review and act on Contract Change Order No. 1 with Milwaukee General Construction Co., Inc., for the Alley #99 (Kilps, Lander, Mandan, Madison) Reconstruction project.
- Sponsors:** Public Works
- Attachments:** [22-4479_BPW_Agenda_Cvr-CO1-Milwaukee_General-Alley_99](#)
[22-4479_CCO1_Milwaukee_General-Alley_99](#)
- C. [ID#22-4480](#) Review and act on the two-party State Municipal Agreement between the City of Waukesha and the Wisconsin Department of Transportation for the E. Moreland Blvd Bridge project, WisDOT Project ID: 2718-00-78.
- Sponsors:** Public Works
- Attachments:** [22-4480_BPW_Agenda_Cvr-E_Moreland_Blvd_Bridge_Rehab_SMA](#)
[2718-00-08_78_EMorelandBlvd_CofWaukesha](#)
- D. [ID#22-4481](#) Review and act on Contract Change Order No. 2 with CD Smith for the Return Flow Pump Station and Advanced Phosphorus Treatment with Facility Enhancements for Clean Water Plant project.
- Sponsors:** Public Works
- Attachments:** [22-4481_BPW_Cvr-CO2-CD_Smith-Return_Flow_Pump_Station](#)
[22-4481_CWP_Constr_Change_Order_02_12Jul22_\(2\)](#)
[22-4481_Change_Order_No_2_Cover_Letter20Jul22](#)
- E. [ID#22-4485](#) Review and act on Contract Change Order No. 3 with J.H. Hassinger, Inc., for the Pebble Valley Pump Station Construction project.
- Sponsors:** Public Works
- Attachments:** [22-4485_BPW_Agenda_Cvr-CO3-Hassinger-Pebble_Valley_Pump_Station](#)
[22-4485-CO3-Hassinger-Pebble_Valley_Pump_Station](#)

End of Consent Agenda

Reports

6. Other Boards and Commissions

- A. Transit Commission Report - Alex Damien
- B. Water Utility Commission - Ald. Bartels
- C. Information Technology Board Report - Ald. Manion
- D. Landmarks Commission Report - Ald. Rodriguez
- E. Redevelopment Authority Report - Ald. R. Lemke
- F. Parks, Recreation & Forestry Board Report - Ald. Johnson
- G. Library Board Report - Ald. Halvensleben
- H. Cemetery Commission Report - Ald. C. Payne
- I. Waukesha Housing Authority Report - Ald. Pieper
- J. Community Development Block Grant Committee Report - Jennifer Andrews
- K. Public Art Committee Report - Ald. Moltzan

7. Plan Commission - Jennifer Andrews

- A. [PC22-0269](#) Certified Survey Map – 1032 Baxter Street, Water Utility Site – Proposed two lot and two outlot CSM on approximately 0.207 acres of land used by the Water Utility as a well site

Attachments: [1032 Baxter St CSM- Cover Letter](#)
[1032 Baxter CSM- Project Reviews](#)
[2022-06-21 Baxter St CSM Draft](#)

A motion was made by Ald. Rodriguez, seconded by Ald. E. Payne, to approve Certified Survey Map as proposed- 1032 Baxter Street, Water Utility Site - Proposed two lot and two outlot CSM on approximately 0.207 acres of land used by the Water Utility as a well site, with the understanding there will be an easement added later. The motion carried by the following vote:

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

- B. [PC22-0275](#) Declaration of Surplus Land – 1032 Baxter Street – Consider that the

former Water Utility well site at 1032 Baxter Street, be determined to be surplus land and made available for disposition.

Attachments: [1032 Baxter St Declaration of Surplus- Cover Letter](#)
[1032 Baxter CSM- Project Reviews](#)
[2022-06-21 Baxter St CSM Draft](#)

A motion was made by Ald. Rodriguez, seconded by Ald. Pieper, to approve Declaration of Surplus Land - 1032 Baxter Street - Consider that the former Water Utility well site at 1032 Baxter Street, be determined to be surplus land and made available for disposition as recommended by staff. The motion carried by the following vote:

Aye: 11 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Nay: 1 - Rick R. Lemke

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

8. Standing Committees

A. Finance Committee Report - Ald. Pieper

- A. [ID#22-4385](#) Update on Fundraising efforts and consider approval of a new Downtown Holiday Lights Display

Attachments: [Cover Sheet - Downtown Holiday Lights Display](#)
[Holiday Lights Design Proposal](#)
[Waukesha Billing 2022 Field Service revised 7-1-22](#)
[Waukesha Billing 2022 Lease revised 7-1-22](#)
[Waukesha Billing 2022 Purchase revised 7-1-22](#)

A motion was made by Ald. Pieper, seconded by Ald. Moltzan, to approve the lease or purchase of a new Downtown Holiday Lights Display package. The motion carried by the following vote:

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

B. Building & Grounds Committee Report - Ald. E. Payne

C. Ordinance & License Committee Report - Ald. Johnson

D. Human Resources Committee Report - Ald. Rodriguez

9. Board of Public Works Report - Alex Damien

- A. [ID#22-4381](#) Bids Received: Wednesday, July 6, 2022, at 10:00 a.m.
Transit Center Concourse Ceiling Replacement

The Board of Public Works recommends that the low bid from Ford Construction Company, Inc., in the amount of \$702,000.00, be awarded.

Sponsors: Public Works

Attachments: [Bid 2022 Transit Center Concourse Ceiling Replacement](#)

A motion was made by Ald. Pieper, seconded by Ald. E. Payne, to approve the low bid from Ford Construction Company, Inc., in the amount of \$702,000.00 for Transit Center Concourse Ceiling Replacement. The motion carried by the following vote:

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

- B. [ID#22-4482](#) Review and act on the Amendment of Municipal Code Chapter 29, Sewer Use and Wastewater Treatment.

Sponsors: Public Works

Attachments: [22-4482 BPW Cvr-29 Amendment](#)
[22-4482_Memo to Board of Public Works](#)
[Chapter 29 Sewer Use and Wastewater Treatment - 2022 Draft Markup](#)

This is the Second Reading.

- C. [ID#22-4483](#) Review and act on Developer's Agreement between City of Waukesha and Habitat for Humanity, Inc. for property located east of Oakland Avenue, west of N. Greenfield Avenue, north of Ellis Street, and south of Lincoln Avenue.

Sponsors: Public Works

Attachments: [22-4483 BPW Agenda Cvr-Aeroshade Subdivision DA](#)
[Aeroshade DPW Dev Agmt](#)

A motion was made by Ald. Moltzan, seconded by Ald. Rodriguez, to approve Developer's Agreement between City of Waukesha and Habitat for Humanity, Inc. for property located east of Oakland Avenue, west of N. Greenfield Avenue, north of Ellis Street, and south of Lincoln Avenue. The motion carried by the following vote:

Aye: 11 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Nay: 1 - Eric E. Payne

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

10. Director of Public Works Report

11. City Attorney's Report

12. City Administrator's Report

13. Mayor's Report & Referrals

A. [ID#22-4619](#) Resolution to Reduce the Number of Members of the Public Art Committee

Attachments: [Resolution to reduce number of Public Art members](#)

Resolution #2022-23

A motion was made by Ald. Moltzan, seconded by Ald. Johnson, to approve Resolution to Reduce the Number of Members of the Public Art Committee to six members. The motion carried by the following vote:

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

14. Referrals

No Referrals.

15. Closed Session

A. [ID#22-4604](#) Discuss labor agreement for the bargaining unit represented by the International Association of Firefighters (Local 407)

A motion was made by Ald. Johnson, seconded by Ald. M. Payne, to approve Closed Session to Discuss labor agreement for the bargaining unit represented by the International Association of Firefighters (Local 407) 19.85(1)(e). The motion carried by the following vote:

The meeting went into Closed Session at 7:18 p.m.

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

16. Reconvene in Open Session

The meeting reconvened into Open Session at 7:33 p.m.

A. [ID#22-4605](#) Possible discussion and/or action on the labor agreement for the

bargaining unit represented by the International Association of Firefighters (Local 407)

A motion was made by Ald. Johnson, seconded by Ald. E. Payne, to approve the labor agreement for the bargaining unit represented by the International Association of Firefighters (Local 407) 2022 -2024. The motion carried by the following vote:

Aye: 12 - Joe Pieper, Peter Bartels, Daniel Manion, Steve Johnson, Cassandra Rodriguez, Dean D. Lemke, Eric E. Payne, Elizabeth Moltzan, Rick R. Lemke, Mike M. Payne, Alicia Halvensleben and Mike Chrisien

Absent: 3 - Jack Wells, Cory C. Payne and Frank McElderry

17. Adjournment

The meeting adjourned at 7:33 p.m.

Shawn Reilly, Mayor
City of Waukesha

NOTICE: Any person who has a qualifying disability under the Americans with Disabilities Act that requires that the meeting be accessible or that materials at the meeting be in an accessible format, please contact the Public Works department, 48 hours prior to the meeting at 524-3600 or by the Wisconsin Telecommunications Relay System so that arrangements may be made to accommodate the request.